

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Cynthia M. Farrie,)	Case No.: 4:24-cv-6314-JD-KDW
)	
Plaintiff,)	
)	
vs.)	
)	ORDER AND OPINION
Unifi Aviation, LLC,)	
)	
Defendant.)	
)	

This matter is before the Court with the Report and Recommendation (“Report”) of United States Magistrate Judge Kaymani D. West (DE 20), made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) of the District of South Carolina concerning Defendant Unifi Aviation, LLC’s (“Defendant” or “Unifi”), Motion to Dismiss (DE 11).¹

A. Background

The Report sets forth the relevant facts and legal standards, which the Court incorporates without a complete recitation. In any event, the Court provides this summary as a brief background.

Plaintiff, proceeding *pro se*, sued Defendant under Title VII of the Civil Rights Act of 1964. Plaintiff claims she was discriminated against based on her religion. She

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

also alleges she suffered “harassment with an unsafe work environment, termination of employment, and retaliation against her.” (DE 1-3 at 3-4.) As Plaintiff is proceeding *pro se*, an order was issued advising Plaintiff to keep the Clerk informed of any address changes and providing her with additional information for pro se litigants. (DE 8.)

On November 22, 2024, Defendant moved to dismiss Plaintiff’s complaint for lack of proper service and failure to state a claim. (DE 11.) On November 25, 2024, under *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), the Magistrate Judge informed Plaintiff of the motion to dismiss procedures and advised her that if she did not submit any material in opposition to the motion, her case could be dismissed. Plaintiff’s response was due by December 27, 2024. (DE 12.)

Before the deadline, Plaintiff filed a short “Response to Motion to Dismiss” in which she requested that the matter be dismissed. Plaintiff stated that

I respectfully am asking the court to grant Unifi Aviation, LLC[s] request to have their motion to dismiss (pursuant to Fed. R. [C]iv. P. 12) [granted]. I am granting this due to the fact that I am feeling overwhelmed with the amount of legal paperwork, my lack of knowledge, to protect my former coworkers, and being unable to find legal counsel at this time.

(DE 16.)

B. Report and Recommendation

On February 19, 2025, the Magistrate Judge issued the Report, recommending that this Court grant Defendant’s Motion to Dismiss because it appears that Plaintiff wishes to discontinue the prosecution of this matter. (DE 20.) Plaintiff did not object to the Report.

C. Legal Standard

In the absence of objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). The Court must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).


D. Conclusion

Because Plaintiff has not objected, after a thorough review of the Report and Recommendation and the record in this case, the Court finds no clear error on the face of the record. Thus, the Court adopts the Report (DE 20) and incorporates it here by reference.

It is, therefore, **ORDERED** that Defendant’s Motion to Dismiss (DE 11) is granted, and this case is dismissed.

IT IS SO ORDERED.

April 8, 2025
Florence, South Carolina


Joseph Dawson, III
United States District Judge

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order within thirty (30) days from this date under Rules 3 and 4 of the Federal Rules of Appellate Procedure.